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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,526	10/27/2003	Jason Hodge	HO-P02403US0	7208
26271 7590 06/18/2007 FULBRIGHT & JAWORSKI, LLP 1301 MCKINNEY SUITE 5100 HOUSTON, TX 77010-3095			EXAMINER SAYALA, CHHAYA D	
			ART UNIT 1761	PAPER NUMBER
			MAIL DATE 06/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/070,526

Examiner

C. SAYALA

Applicant(s)

HODGE ET AL.

Art Unit

1761

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/19/2006.
2. ☒ The allowed claim(s) is/are 12-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



**CHHAYA D. SAYALA  
PRIMARY EXAMINER**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification:

Inserted the following at page 5, after line 30:

#### **- - DETAILED DESCRIPTION OF THE DRAWINGS**

Fig. 1 Graph illustrating a human perception analysis identifying the human detection limits of flatulence episodes;

Fig. 2 Graph illustrating the mean percentage of combined bad and unbearable episodes produced when dogs were fed active and control treats;

Fig. 3 Graph illustrating the difference in plasma vitamin E status between test and control groups after 6 weeks of feeding;

Figs. 4A, 4B Graphs illustrating the difference in plasma vitamin C status between test and control groups after 6 weeks of feeding; and

Fig. 5 Graph illustrating the difference in plasma taurine status between test and control groups after 4 weeks of feeding. - -

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Inserted the following at page 6, between line 27 and line 28:

- - DETAILED DESCRIPTION OF INVENTION - - .

At page 16, deleted lines 19 through 30, and substituted therefor - - See Fig 1. - -

At page 19, line 9, deleted "below" and substituted therefor - - 2- -.

At page 19, deleted the figure beginning at line 12.

At page 28, line 10, deleted "below" and substituted therefor - - in Fig. 3 - -.

At page 28, deleted line 11 and the figure beginning at line 12.

At page 29, line 1, deleted "Fig. 1".

At page 29, line 3, deleted "This" and substituted therefor - - Fig. 3 - - .

At page 29, deleted the figure at lines 7-9.

At page 29, line 10, deleted "Fig 2" and substituted therefor - - Figs 4A and 4B - -.

At page 29, line 18, deleted the figure.

At page 29, line 19, deleted "Fig. 3" and substituted therefor - - Fig. 5 - -.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Sayala whose telephone number is (571) 272-1405.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

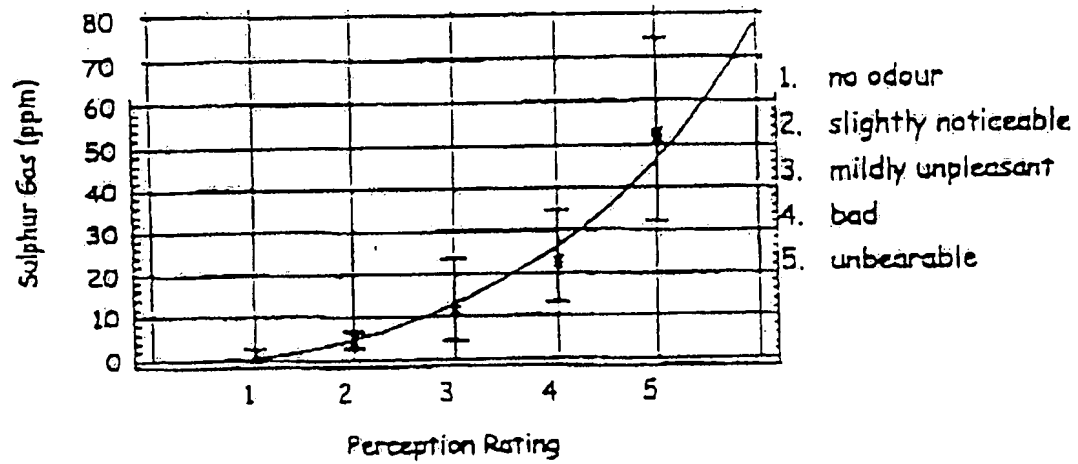
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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



C. SAYALA  
Primary Examiner  
Group 1700.

Fig. 1



$$\text{Human Perception Rating} = 1.511124 * \text{Sulfur Gas (ppm)} ^{0.280379}$$

Fig. 2

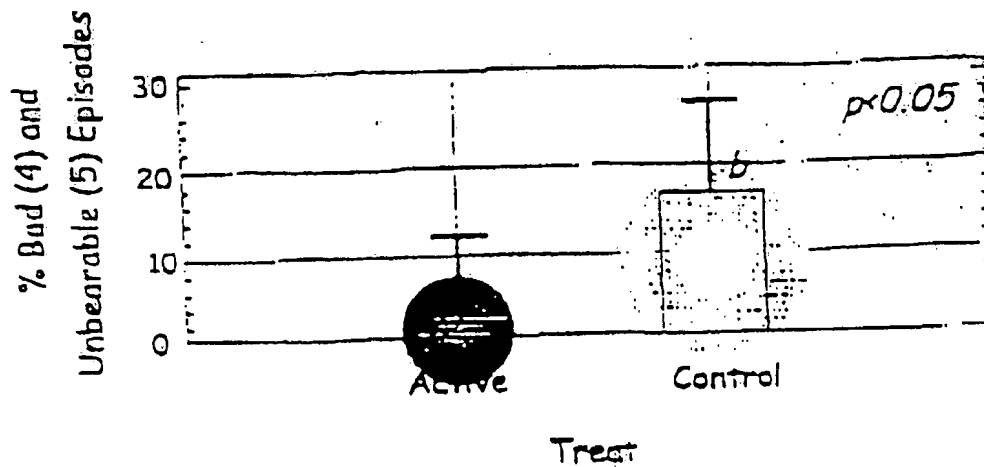


Fig. 3

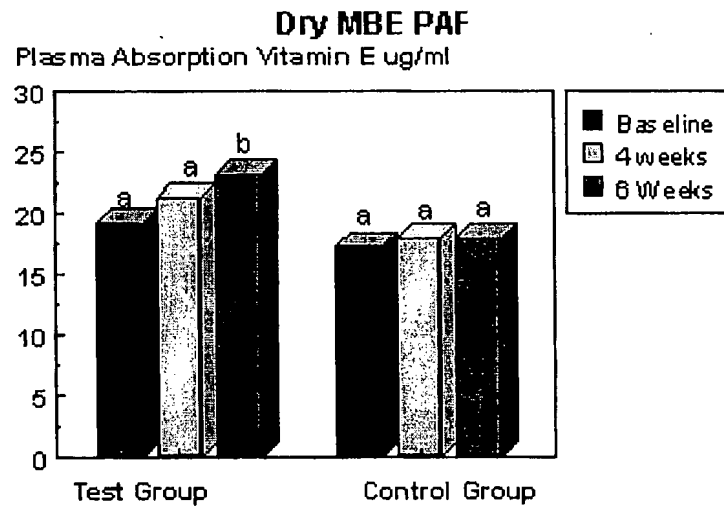


Fig. 4A

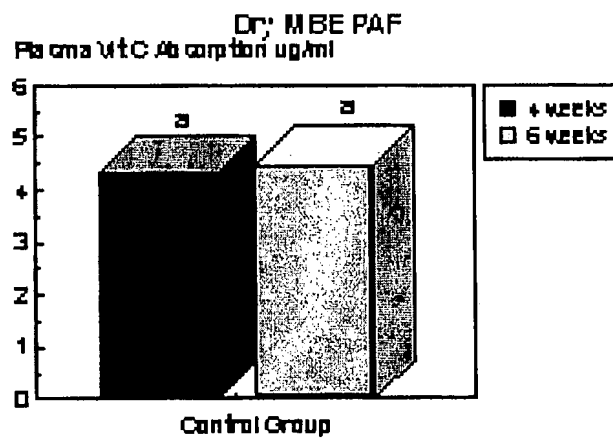


Fig. 4B

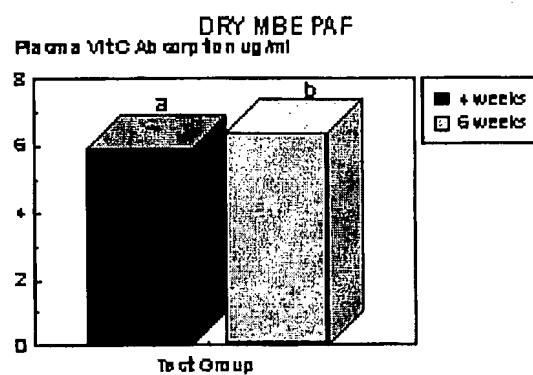


Fig. 5

